



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,434	02/27/2004	Tsuyoshi Kawabe	500.43533X00	4715

24956 7590 07/31/2007
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 DIAGONAL ROAD
SUITE 370
ALEXANDRIA, VA 22314

EXAMINER

ANYIKIRE, CHIKAODILI E

ART UNIT	PAPER NUMBER
----------	--------------

2621

MAIL DATE	DELIVERY MODE
-----------	---------------

07/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/787,434	Applicant(s) KAWABE ET AL.	
	Examiner Chikaodili E. Anyikire	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20040227</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application is responsive to application number (10787434) filed on February 27, 2004. Claims 1-5 are pending and have been examined.

Information Disclosure Statement

2. Acknowledgement is made of applicant's information disclosure statement.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeComte (US 2002/0026636) in view of Nobuyoshi (JP 2002-24330).

As per claim 1, LeComte discloses a video data distribution system for distributing video data through a network, comprising:

an authentication server unit having an authentication table for authenticating said image pickup mobile (Fig 1, 3 and 4; [0195]-[0198]);

a data converter for converting the video data generated by said image pickup mobile into a video data of predetermined type for storing (Fig 1, 3; [0163]);

a video storage/distribution device for storing said video data of said predetermined type transmitted from said mobile equipment authorized by the authorization table (Fig 1, 3 and 4; [0152], [0163], and [0195]-[0198]); and

wherein said video data of said predetermined type stored in the video storage/distribution device is distributed to said mobile equipment based on a distribution request from said mobile equipment (Fig 1, 3, 4, and 14; [0195]-[0198]).

However, LeComte does not explicitly teach mobile equipment including at least one image pickup mobile with an image pickup device for generating and transmitting video data.

In the same field of endeavor, Nobuyoshi teach a mobile equipment including at least one image pickup mobile with an image pickup device for generating and transmitting video data ([0007] Ln 3-5).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to the invention of LeComte with mobile terminal of Nobuyoshi. The advantage is that a user can access information remotely.

As per claim 2, LeComte discloses a video data distribution system according to claim 1.

However, LeComte does not explicitly teach wherein said mobile equipment comprises an image pick-up device and said image pickup mobile.

In the same field of endeavor, Nobuyoshi teach wherein said mobile equipment comprises an image pick-up device and said image pickup mobile ([0007] Ln 3-5).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to the invention of LeComte with mobile terminal of Nobuyoshi. The advantage is that a user can access information remotely.

As per claim 3, LeComte discloses a video data distribution system according to claim 2, wherein at least an ID number in said image pickup mobile is registered in the authentication table; and wherein video data from said image pickup mobile corresponding to the ID number is stored in the video storage/distribution device ([0044]).

As per claim 4, LeComte discloses a video data distribution system according to claim 1,

wherein when video data stored in said video storage/distribution device is distributed to said mobile equipment based on a distribution request from said mobile equipment, the video storage/distribution device confirms whether or not the mobile equipment which sent the distribution request is registered in the authentication table and distributes the video data if the mobile equipment is registered (Fig 1, 3 and 4; [0195]-[0198]).

As per claim 5, arguments are analogous according to those presented for claim 1 are applicable to claim 5.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chikaodili E. Anyikire whose telephone number is (571) 270-1445. The examiner can normally be reached on Monday to Friday, 7:30 am to 5 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272 - 7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CEA

Mehrdad Dastouri
MEHRDAD DASTOURI
SUPERVISORY PATENT EXAMINER
TC 2621